

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of VINOQUE MARTIN and VINO  
MARTIN, JR., Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DANIELLE M. WYATT,

Respondent-Appellant,

and

VINO MARTIN,

Respondent.

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UNPUBLISHED

March 13, 2007

No. 272772

Wayne Circuit Court

Family Division

LC No. 04-429361-NA

Before: Servitto, P.J., and Talbot and Schuette, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant contends that the trial court clearly erred in terminating her parental rights under MCL 712A.19b(3)(c)(i), (g), and (j). The termination of parental rights is appropriate where petitioner proves by clear and convincing evidence at least one ground for termination. *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). Once this has occurred, the trial court shall terminate parental rights unless it finds that the termination is clearly not in the best interests of the children. *Id.* at 353. This Court reviews the trial court's findings under the clearly erroneous standard. *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999).

According to respondent-appellant, there was no clear and convincing evidence demonstrating that the conditions that brought the minor children into care still existed. We disagree.

The condition that led to adjudication was respondent-appellant's mental illness. Dr. Kehinde Ayeni conducted a psychiatric evaluation on respondent-appellant and diagnosed her with schizophrenia. Respondent-appellant failed to regularly attend her counseling sessions with Dr. Ayeni, however, and failed to take medication prescribed by the doctor. Based on Dr. Ayeni's testimony, respondent-appellant lacked insight into her mental health illness. Given the amount of time respondent-appellant was allowed to address her mental illness, and her failure to acknowledge her condition, attend counseling, and take the prescribed medication, the trial court did not clearly err in finding that respondent-appellant's mental illness continued to exist and that there was no reasonable likelihood that it would be rectified within a reasonable time considering the children's ages. Thus, termination was warranted under MCL 712A.19b(3)(c)(i).

Respondent-appellant next argues that termination was not proper under MCL 712A.19b(3)(g), because there was no clear and convincing evidence that she exhibited both a failure and an inability to provide proper care for her children. However, Dr. Ayeni testified that respondent-appellant was not able to parent her children because of her paranoia and delusions. Further, the Clinic for Child Study concluded that respondent-appellant's potential for providing a safe and appropriate home for her children was guarded. Based on the above evidence, the trial court did not clearly err in finding that respondent-appellant failed to provide proper care for her children. Again, given the amount of time she had to address her mental illness, and her failure to acknowledge her condition, regularly attend counseling sessions, and take her prescribed medication, we also find that the trial court did not clearly err in finding that respondent-appellant would not be able to provide proper care within a reasonable time considering the children's ages. Respondent-appellant's failure to address her mental illness also posed a risk of harm to the children. Thus, termination was warranted under MCL 712A.19b(3)(g) and (j).

Respondent-appellant next contends that the trial court erred by not making specific findings of fact regarding the best interests of her children. We disagree. Although the trial court did not make specific findings of fact, a review of the case discloses no error in the trial court's decision to terminate respondent-appellant's parental rights. See, e.g., *In re Gazella*, 264 Mich App 668, 677-678; 692 NW2d 708 (2005).

Finally, respondent-appellant argues that the trial court should not have terminated her parental rights to her older children because it did not terminate her parental rights to her newborn baby. Because the father of the newborn, unlike the father of the children at issue here, might be able to take care of his child, the trial court took the matter regarding respondent-appellant's parental rights to the newborn under advisement. The court stated that if the father of the baby "step[ped] up to the plate" and was able to care for the child, the court would consider not terminating respondent-appellant's parental rights. Such action by the trial court does not demonstrate that the trial court clearly erred in terminating respondent-appellant's parental rights to her older children.

Affirmed.

/s/ Deborah A. Servitto  
/s/ Michael J. Talbot  
/s/ Bill Schuette